

The regular meeting of the Town Assembly of the Village of Arden was held on September 22, 1980 with Chairman, William Press, Jr. presiding.

As required by Senate Bill No. 256, the following list of the attenders at this meeting is:

Ruth Shaw	Eugene Shaw	Mary Morley
Beatrice Jaffe	Rae Gerstine	Virginia Shaw
Patricia Press	William Press	John Grimaldi
Bert Passanante	Frank Heymann	William Bailey
Sally Thurston	Lee Starr	Carolyn Liberman
Cy Liberman	Shaul Gladstone	Thomas Golgan
Ethel Monfort	Dora Johnson	H. R. Monfort
Bertha Brooks	W. H. Vandever	Gail Reinhart
Houston Roberts	Marjorie Roberts	William Theis
Joan W. Colgan	William Bindloss	Beverly Gulley
James E. Gulley	Ruth Estes	Donald Holcomb
Sarah Hamburger	Aaron Hamburger	William Morley
Bernard Brachman	Beverly Barnett	Frank Akutowicz
Diane Kershaw	John Gray (NV)	Marilyn Wagman NV

A letter of resignation from the Safety Committee was received from Andrew Foote.

The minutes of the June 23, 1980 minutes were approved as circulated.

The financial report of the Trustees was reported and the amounts spent to date was circulated and report is on file.

Trustees reported that Charles Lantz, leaseholder of Lot #1, had asked for a variance to build 2 more apartments on his building. The Board of Adjustments had permitted this, but no building permit has been issued. The Trustees have gone on record as opposing the granting of the required building permit for the following reasons: 1. Page 2 of the N. C. County Board of Adjustments requires that Mr. Lantz make a mutually satisfactory arrangement with the Trustees of Arden. This has not yet been done. 2. The Trustees, Board of Assessors, and majority of residents oppose expansions of non-conforming uses. 3. The lease granted to Mr. Lantz contains a clause in which lessee agrees not to "use it in such manner as shall be injurious to the rights of others."

It has been requested that the building permits not be issued at this time.

The Trustees have decided that in the future with rental units to insure equity in the task of administering the "domicile rule", the Trustees will require an affidavit that the domicile is not producing any income.

The following motion was made and passed unanimously:

"In the duly constituted meeting of September 22, 1980, the Town Assembly of the Village voted to express by this letter, its objection and displeasure with the "action to grant" the variance requested by Mr. Charles Lantz in his application 5564-A (Decision dated: August 21, 1980.)

It is requested that an agreement or rule, confirmed in writing, be formulated which will require both the Board of Adjustment and a duly constituted representative of the Village of Arden or its Trustees to approve and application for variance before any action to grant it is taken. Letter mailed to New Castle County Board of Adjustment, September 24, 1980.

The proposed Budget for March 25, 1981-March 24, 1982 was circulated. A motion was made and passed unanimously that the Salary of Assembly Secretary and Village Treasurer be increased by 10% from \$1,725 to \$1,897 and \$400 to \$440.

A motion was made by Diane Kershaw that the amount of donation to ACRA be increased to \$350. There was opposition to this because some felt that ACRA had reduced its program and had made its solicitation very late in the season. Mrs. Kershaw explained that there was a lack of interest in getting solicitors and it was difficult to find people for leaders, because ACRA cannot pay the salaries desired. It was necessary to cut the program to six weeks. There was relative weak ACRA leadership, but she felt the program is essential. The potential use of the program should be greater, because there are more young children in Arden now. The motion was seconded and ballots distributed. The Registration Committee reported that the increase from \$300 to \$350 passed with 29 ayes and 9 Nays. The amended budget is as follows: Income is \$142,800. Land rent is \$130,500, @2,100 is yearly payment from road right-of-way sale and \$9,000 is interest on Reserve Funds and \$1,200 is other income. \$90,321 is reserved for county and school taxes and \$6,000 reserved for administrative expenses of the estate. The amount for budgeting is \$46,479. The amount budgeted is \$52,317 with a budget deficit of (\$5,838). The estimated surplus of March 25, 1981 \$54,463 and for March 25, 1982 if \$48,625.

Note 2 of the Budget report amended to read:

Budget Committee shall review actual and anticipated receipts and expenditures prior to each Town Assembly. If any single expenditure item or the total of all such items is expected to deviate by \$1,000. from the budget, because of an unanticipated emergency expenditure or lower income, a revised budget showing new and old figures, shall be submitted in writing to the Town Assembly for approval by a two-thirds vote at a regular or special meeting. The amended Budget was accepted.

Civic Committee report by Joan W. Colgan:

The committee had one regular and several special meetings since June. Storm damage to the woods, road right-of-way and greens was considerable. The wood paths were cleaned and fallen trees left for residents to remove.

All road work was completed except for the gutters on Woodland Lane and Wind and Mill Lanes.

Under old business the second reading of Ordinance #11-Encroachment on the Right -Of-Way will be presented. The report was accepted.

Buzz Ware Village Center Committee read by secretary. The building has been painted on the inside and outside. They request repair to the path near corner of building where stones were removed. Report accepted.

No report from Auditing Committee.

Registration Committee reported 392 voters as of 9/22/80.

Community Planning Committee:

Stones in the Memorial Garden have been lowered flush with the ground. The committee had a second request from Wayne Kershaw that we do something about the motion passed in June 1976 that "Be it resolved that the Village of Arden is opposed to granting any exception to the ordinance involving a lot on Naamans Creek in Ardentown side of the old pool

There was no official report from the Safety Committee.

Bert Passanante has been the only active member. He has been checking on the situation on Sherwood Green. The litter has been reduced and the misuse of the area improved.

The Town Assembly thanked Bert Passanante for working with the young people and not calling the police.

There was no official report from the Safety Committee and an election will be held to replace Andrew Foote.

Because the Safety Committee had not carried out some of the suggested actions, it was decided that William Press and Hugh Roberts should follow-up with suggestions what the Town Assembly could do when a committee is not active.

Another problem was to decide what can be done about the missing signs on Harvey Road. The Safety committee will send out a letter to the State requesting that the signs be replaced.

A motion was made and passed unanimously that Bert Passanante be elected to act as Chairman of the Safety Committee.

Playground Committee report:

Committee purchased additional mulch for ground cover under swing sets and slides.

Purchased and installed two balance beams made of concrete.

Removed WM A wooden deck house

Designated 1.4 mile running route through Arden

Replaced "No Climbing" sign on Arden Green baseball backstop.

Installed chain mesh basketball nets at Sherwood Green

Replaced missing boards on picnic tables.

There has been some damage to the equipment.

The committee has begun working with the Planning and Civic committees on guidelines for planting a shade tree near the swings and slide on the Sherwood Green. A large elm has been removed that shaded the equipment. They suggested:

- 1-To purchase a tree with a 12-month viability contract.
- 2 To wait 6 to 12 months before planing because of this years drought.
3. To either recondition the soil where elm was removed or plant a new tree at least 30 feet from the stump.
- 4 To plant a fast-growing for quick shade and a long-living tree for permanet shade.

The committee rejects the suggestion that the equipment be moved because there is not enough shade available. They also request that grass be mowed more frequently. Linda Shinn is moving from Arden and another member will be elected under new business. Report accepted.

80th Birthday Committee plan to have events in the Fall. On December 13 a lecture about William Morris will be held in the Gild Hall.

Virginia Shaw-Arden Archivist- plans to work on records and will report at the January meeting.

Under Old Business the second reading of of Ordinance #11-Encroachment on Right-Of- Way was read.

Purpose: The residents of Arden wish to promote safety and preserve the beauty of the village by requiring residents to care for areas between leaseholds and paved roads or paths.

Section 1. It shall be the responsibility of each leaseholder or leaseholder's tenants to maintain a clear right-of-way adjacent to his household. Right-of-way to be the designated distance from center of road or path.

Section 2. Right-of-way shall be kept clear of any plantings or overgrowth of trees, shrubs, or vines planted on leaseholds. Right-of-way shall also be kept clear of permanent objects that will not permit pedestrians to move off road to avoid traffic.

Section 3. The Arden Civic Committee is empowered to judge the extent of trimming, cutting and cleaning required, and to inform leaseholders, or tenants of a lot judged by the committee to be in need of such trimming, cutting or cleaning.

Section 4. In the event such notice from the committee does not result in the desired action within 30 days, the committee is empowered to have the work done.

Section 5. Violation of this ordinance shall be punishable by a fine not less than \$25 not to exceed \$100, in addition to the cost of the work done under Section 4.

The second reading of the Ordinance 11 accepted.

Under new business an election was made for members of the following committee: Safety Committee: Wayne Kershaw, John Berk
Playground Committee: William Bailey

The Registration Committee reported that Wayne Kershaw was lected with 22 votes. John Berk received 12 votes.
William Bailey had no opponent and received 28 votes.

The following were nominated for Board of Assessors to be elected by referendum:

William Press, Harold Monfort, John Grimaldi, Eugene Shaw,
Norman Barron, Frank Herzog, Diane Kershaw, Aaron Hamburger,
Frank Heymann, Elizabeth Varley, Beverly Gulley, Donald Holcomb,
William Morley, Lee Starr, Alton Dahl

The meeting on motion adjourned,

Respectfull submitted,

Mary Morley
Mary Morley
Town Assembly Secretary